

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

# TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

1. P566.31

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

10/510384

INTERNATIONAL APPLICATION NO.  
PCT/IB03/01725

INTERNATIONAL FILING DATE  
April 28, 2003

PRIORITY DATE CLAIMED  
April 30, 2002 - May 30, 2002  
April 2, 2003

## TITLE OF INVENTION

REAMER SPINDLE FOR MINIMALLY INVASIVE JOINT SURGERY

## APPLICANT(S) FOR DO/EO/US

André LECHOT ET AL.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☒ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:— return postcard

— WIPO Publication WO/03/092513  
— Form PCT/IB/308

U.S. APPLICATION NO. <b>10/510,004</b>		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
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<p>21. <input type="checkbox"/> The following fees are submitted:</p> <p><b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b></p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. .... <b>\$1080.00</b></p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$920.00</b></p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$770.00</b></p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$730.00</b></p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b></p> <p style="text-align: center;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></p>				<b>CALCULATIONS PTO USE ONLY</b>																																			
<p>Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 20%;">RATE</th> <th style="width: 20%;">\$</th> <th style="width: 20%;"></th> </tr> <tr> <td>Total claims</td> <td>23 - 20 =</td> <td>3</td> <td>x \$18.00</td> <td>\$ 54.00</td> <td></td> </tr> <tr> <td>Independent claims</td> <td>2 - 3 =</td> <td>-</td> <td>x \$86.00</td> <td>\$ 0</td> <td></td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$290.00</td> <td>\$ 0</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: center;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$ 974.00</td> <td></td> </tr> </table> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</p> <p style="text-align: center;"><b>SUBTOTAL =</b></p> <p>Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p> <p style="text-align: center;"><b>TOTAL NATIONAL FEE =</b></p> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +</p> <p style="text-align: center;"><b>TOTAL FEES ENCLOSED =</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;"></td> <td style="width: 30%;">Amount to be refunded:</td> <td style="width: 10%;">\$</td> </tr> <tr> <td></td> <td>charged:</td> <td>\$</td> </tr> </table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$		Total claims	23 - 20 =	3	x \$18.00	\$ 54.00		Independent claims	2 - 3 =	-	x \$86.00	\$ 0		MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	\$ 0		<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 974.00			Amount to be refunded:	\$		charged:	\$
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	charged:	\$																																					

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 50-0800 in the amount of \$ 487.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0800. A duplicate copy of this sheet is enclosed.

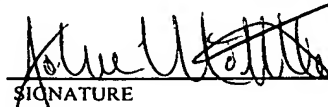
d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

John MOETTELI  
c/o BUGNION S.A.  
B.P. 375  
1211 GENEVA 12  
SWITZELAND

  
 SIGNATURE  
 John MOETTELI  
 NAME  
 35 289  
 REGISTRATION NUMBER

DT02 R...CT/PTO

0 5 OCT 2004

10/510384

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**CERTIFICATE OF EXPRESS MAIL DEPOSIT**

**Under 37 CFR § 1.10**

**U.S.P.S. EXPRESS MAIL LABEL No.** EL 995164655US

**DEPOSIT DATE:** 5 October 2004

I, Sherman D. Pernia, hereby certify that this correspondence is being deposited with the United States Postal Service using "Express Mail, Post Office to Addressee" service on the date indicated above and is addressed to "COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450."

Signed:

*Sherman D. Pernia*

Docket No. BUG-262

1.P566.31

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